

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, SEPTEMBER 23, 2003
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & DRAFT MINUTES

Call to Order: 5:04 P.M.

Roll Call - Councilmembers Present: Lowenthal, Baker, Colonna, Carroll, Kell,
Richardson, Reyes Uranga, Webb, Lerch.
Absent: None.
Also Present: Gerald R. Miller, City Manager
Reginald I. Harrison, Deputy City Manager
Robert E. Shannon, City Attorney
Sharon Stone, Chief Deputy City Clerk
Jonda Matrone, Deputy City Clerk

Mayor O'Neill presiding.

Flag Salute: Councilwoman Laura Richardson, Sixth District

National Anthem: Antoinette Flores

Invocation: Pastor Sheridan McDaniel, Long Beach Community Worship Center, Long Beach.

Pet Adoption Program Introduction by Denise Jacksy of SPCALA presented a feline.

APPROVAL OF MINUTES

Approval of minutes for City Council meeting of September 16, 2003.

ACTION: Approved. (Colonna/Carroll) (9/0 Unanimous)

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilwoman Laura Richardson, Sixth District, made presentations to community members, civic leaders, athlete groups and various organizations and thanked them for their various contributions to the City of Long Beach.

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Agreement of Purchase and Sale with Community Rehabilitation Industries for the sale of real property at southwest corner of Anaheim Street and Walnut Avenue - Central Long Beach Redevelopment Project Area. (District 2) (Doc. 3)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

Approve agreement of purchase and sale with Community Rehabilitation Industries.

Adopt resolution; approve and authorize Executive Director to execute any and all documents necessary to implement the agreement.

ACTION: As recommended and **adopted Resolution No. C-28262.**
(Baker/Lowenthal) (8/0 Unanimous) (Absent: Richardson)

2. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Application of Museum of Latin American Art (MOLAA) for a Permit for Entertainment with Dancing by Patrons at an Existing Museum at 628 Alamitos Avenue. (District 2) (Doc. 4)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

Grant the permit, with or without conditions; or deny the permit.

ACTION: Received supporting documentation into the record and concluded the hearing. Granted the permit with amended conditions to allow outdoor entertainment until 9:00 P.M.
(Baker/Lowenthal) (8/0 Unanimous) (Absent: Richardson)

Speakers: Robert Bastian
Nancy Fox
Solidad Ramirez
Caprice Meyer
Kapiji Kamara
Unidentified Woman

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

Donald Sims, spoke regarding certain police officer concerns.

Everett Gantz, spoke regarding \$7,000 charge imposed by the City of Long Beach against Long Beach Area Peace Network. (Doc. 5)

Thomas Murphy, spoke regarding his 86 years in Long Beach and unsuccessful projects undertaken by the City of Long Beach.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (3 - 24) (Pulled for discussion Items 6, 7, 13, 16, and 17)

3. DEPARTMENT: CITY AUDITOR

SUBJECT: Contract for audit services with KPMG, LLP. (Doc. 6)

SUGGESTED ACTION:

Authorize City Manager to execute contract for a term of October 1, 2003 to September 30, 2004 in an amount not to exceed \$409,899.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

4. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages. (Docs. 7-36)

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between September 11, 2003 and September 18, 2003.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

5. DEPARTMENT: CITY CLERK

SUBJECT: Report of Hearing Officer for appeal by Paul S. Williams, attorney for the Estate of Judith J. Coop, of the decision of the Board of Examiners, Appeals and Condemnation regarding property located at 7008 Goldcrest Street.
(Case No. C-7457-06-03) (District 3) (Doc. 37)

SUGGESTED ACTION:

Set date of hearing for Tuesday, October 21, 2003, at 5:00 P.M.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

6. DEPARTMENT: CITY CLERK

SUBJECT: Electronic Campaign Finance Filing System (ECFFS). (Doc. 60)

SUGGESTED ACTION:

Request City Attorney to prepare ordinance requiring the mandatory online filing of campaign statements by all candidates and committees.

ACTION: As recommended. (Lowenthal/Baker) (8/0 Unanimous) (Absent: Lerch)

Speaker: Thomas Murphy

7. DEPARTMENT: COMMUNITY DEVELOPMENT AND HEALTH AND HUMAN SERVICES

SUBJECT: Agreement with the State of California Office of Traffic Safety to provide driving under the influence prevention and car restraint education. (Citywide) (Doc. 61)

SUGGESTED ACTION:

Authorize City Manager to execute agreement for a period of two years to provide community-based education to prevent driving under the influence and to encourage use of seat belts.

Approve increase in FY04 appropriations in the Community Development Grants Fund (SR 150) and in the Department of Community Development (CD) by \$330,000.

ACTION: As recommended. (Baker/Richardson) (7/0 Unanimous)
(Absent: Lowenthal/Webb)

Speaker: Thomas Murphy

8. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Lease financing for acquisition of street sweepers for the Long Beach Energy Department. (Doc. 38)

SUGGESTED ACTION:

Authorize City Manager to execute a lease-purchase agreement and payment schedule and related financing document with Banc of America Leasing & Capital, LLC for the financing of said purchases in an amount not to exceed \$2,921,418 payable over a four-year period.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

9. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Lease financing for acquisition of ambulances for Fire Department. (Doc. 39)

SUGGESTED ACTION:

Authorize City Manager to execute a lease-purchase agreement and payment schedule and related financing document with Banc of America Leasing & Capital, LLC for the financing of said purchases in an amount not to exceed \$993,173 payable over a six-year period.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

10. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Amendment to Contracts No. 27055 and No. 27177 with Azteca Landscape and Contract No. 27095 with Midori Gardens, Inc., for landscape maintenance services. (Citywide) (Doc. 40)

SUGGESTED ACTION:

Amend Contract No. 27095, with Midori Gardens, Inc., and Contract No. 27055, with Azteca Landscape to extend the current landscape maintenance service contracts until April 30, 2004.

Amend Contract No. 27177 with Azteca Landscape to extend the current landscape maintenance service contract until April 30, 2004.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

11. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Third Amendment to Contract No. 25950 with Trugreen Landcare for grounds and landscape maintenance services for the Queensway Bay area. (Doc. 41)

SUGGESTED ACTION:

Authorize City Manager to execute amendment to extend term through December 31, 2003.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

12. DEPARTMENT: FIRE

SUBJECT: Affiliation Agreement with California Paramedic Institute for Paramedic Field Internship. (Citywide) (Doc. 42)

SUGGESTED ACTION:

Authorize City Manager to execute agreement and any amendments to allow students to serve field internships in Long Beach at no cost to the City for a period of two years with an option to renew for two additional years, at the discretion of the City Manager.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

13. DEPARTMENT: HEALTH AND HUMAN SERVICES

SUBJECT: First Amendment to Agreement No. 27643 with Los Angeles County to provide Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome health education/risk reduction, and prevention services. (Citywide) (Doc. 62)

SUGGESTED ACTION:

Authorize City Manager to execute amendment in the amount of \$185,173 for a period of 18 months.

Increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$185,173.

ACTION: As recommended. (Baker/Colonna) (7/0 Unanimous)
(Absent: Lowenthal/Webb)

Speaker: Thomas Murphy
Robert Bastian

14. DEPARTMENT: LAW

SUBJECT: Compromise and Release. (Doc. 43)

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$7,500 in compliance with Appeals Board order for claim of Tony Bramlett.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

15. DEPARTMENT: LAW

SUBJECT: Stipulations with Requests for Award. (Docs. 44-47)

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$9,296.25 in compliance with Appeals Board order for claim of Deborah Crockett; \$62,942.50 for claim of David DiGiovanni; \$106,375 and \$2,100 for claim of James Meiers; and \$100,165 for claim of Joseph Edward Robbins.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

16. DEPARTMENT: LAW

SUBJECT: Retention of law firm M. Brian McMahon in the matter entitled Southern California Gas Company vs. City of Long Beach. (Doc. 63)

SUGGESTED ACTION:

Authorize agreement in amount not to exceed \$200,000.

ACTION: As recommended. (Baker/Richardson) (7/0 Unanimous)
(Absent: Lowenthal, Webb)

Speaker: Robert Bastian

17. DEPARTMENT: LAW

SUBJECT: Retention of The Kirk Law Firm to provide legal services in the matter entitled U.S. v. City of Long Beach. (Doc. 64)

SUGGESTED ACTION:

Authorize agreement in an amount not to exceed \$120,000.

ACTION: As recommended. (Baker/Richardson) (7/0 Unanimous)
(Absent: Lowenthal, Webb)

Speaker: Robert Bastian

18. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Permit With Rainbow Rocket, Inc. for commercial operation from Rainbow Harbor. (District 2) (Doc. 48)

SUGGESTED ACTION:

Authorize City Manager to execute the permit for a term of four years, with an option to renew for one, three-year period, subject to approval by the Director of Parks, Recreation and Marine Department or his designee.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

19. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers).

- A. Application of Helen Huong Le and Khoa Xuan Le, dba Speedy Liquor, for a person-to-person transfer of an off-sale general license at 3036 East 4th Street. (District 2) (Doc. 49)
- B. Application of JT's Pacific Grill Incorporated, dba JT's Restaurant, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 1760 Bellflower Boulevard. (District 3) (Doc. 50)
- C. Application of Marri's Pizza Incorporated, dba Marri's Pizza, for a person-to-person transfer of an on-sale beer and wine for bonafide eating place license at 6436 Stearns Street. (District 4) (Doc. 51)
- D. Application of Phally Im, dba Little Phnom Penh Market, for a person-to-person transfer of an off-sale beer and wine license at 810 East Anaheim Street. (District 6) (Doc. 52)
- E. Application of Mercado Ranchero Enterprise Incorporated, dba Mercado Ranchero Market, for a person-to-person transfer of an off-sale beer and wine license at 5575 Atlantic Avenue. (District 8) (Doc. 53)

SUGGESTED ACTION:

Receive and file applications with existing conditions.

ACTION: As recommended for items A, B, C, and E. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)
Item D to be laid over for three weeks (October 14, 2003).
(Richardson/Colonna) (8/0 Unanimous) (Absent: Lerch)

20. DEPARTMENT: POLICE

SUBJECT: Fiscal Year 2003 appropriation increase, to appropriate interest earnings, for State of California Citizen's Option for Public Safety (COPS) Grant. (Citywide) (Doc. 54)

SUGGESTED ACTION:

Increase appropriations in the General Fund (GP) and in the Police Department (PD) by \$16,788.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

21. DEPARTMENT: PUBLIC WORKS

SUBJECT: Public Walkways Occupancy Permit for sidewalk dining at Lucille's Smokehouse Bar-B-Que located at 4828 East Second Street. (District 3) (Doc. 55)

SUGGESTED ACTION:

Authorize City Manager to execute permit.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

22. DEPARTMENT: PUBLIC WORKS

SUBJECT: Amendment to Section 10.24.076 of the Long Beach Municipal Code relating to parking of oversized vehicles on Spring Street service road between Lees Avenue and Stevely Avenue. (District 5) (Doc. 56)

SUGGESTED ACTION:

Request City Attorney to prepare an amendment adding a new subsection to read: "Spring Street service road between Lees Avenue and Stevely Avenue."

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

23. DEPARTMENT: PUBLIC WORKS

SUBJECT: Easement granted to Southern California Edison, west of Queen's Way at the Pike at Rainbow Harbor. (District 2) (Doc. 57)

SUGGESTED ACTION:

Authorize City Manager to execute an easement deed for electrical power purposes over specified areas.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

24. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing:

Civil Service Commission, September 3, 2003 (Doc. 58)

Harbor Commission, September 8, 2003 (Doc. 59)

SUGGESTED ACTION:

Receive and file.

ACTION: As recommended. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Colonna)

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

UNFINISHED BUSINESS:

25. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Financial Policies. (Councilwoman Richardson regarding Budget Oversight Committee report and fiscal policy recommendations.) (Councilwoman Laura Richardson, Chair, Budget Oversight Committee, recommending that the adoption of the Financial Policies be considered.) (Docs. 65-67)

SUGGESTED ACTION:

Concur in recommendation of Budget Oversight Committee.

Adopt Financial Policies.

ACTION: As recommended. (Kell/Uranga) (7/0 Unanimous) (Absent: Lowenthal, Webb)

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

26. COUNCIL OFFICE: COUNCILMEMBER DENNIS CARROLL, FOURTH DISTRICT

SUBJECT: Water Department construction projects. (Doc. 68)

SUGGESTED ACTION:

Refer to Transportation and Infrastructure Committee.

ACTION: As recommended. (Carroll/Lowenthal) (8/0 Unanimous) (Absent: Webb)

27. COUNCIL OFFICE: COUNCILWOMAN JACKIE KELL, FIFTH DISTRICT

SUBJECT: Support of public event (Blank Check). (Doc. 69)

SUGGESTED ACTION:

Support event.

ACTION: Councilwoman Kell donated her 2004 salary increase to the Veterans Day Parade. Item received and filed. (Kell/Lowenthal) (9/0 Unanimous)

28. DEPARTMENT: CITY MANAGER AND HARBOR

SUBJECT: Report on Port Growth and Development. (Citywide) (Doc. 70)

SUGGESTED ACTION:

Receive and file report.

ACTION: As recommended. (Baker/Colonna) (9/0 Unanimous)

29. DEPARTMENT: CITY MANAGER

SUBJECT: Update on ShoreFest. (Doc. 71)

SUGGESTED ACTION:

Receive and file report.

ACTION: Received and filed report to support the decision of the City Manager to cancel event. (Colonna/Richardson) (9/0 Unanimous)

30. DEPARTMENT: CITY MANAGER

SUBJECT: Contract with Michael J. Arnold and Associates for State legislative advocacy services. (Citywide) (Doc. 72)

SUGGESTED ACTION:

Authorize City Manager to execute contract for a period of one-year in the amount of \$94,608.

ACTION: As recommended. (Baker/Colonna) (6/0 Unanimous)
(Absent: Lowenthal,Kell,Lerch)

31. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Contract with Downtown Long Beach Associates (DLBA) for Fiscal Year 2004. (Districts 1,2) (Doc. 73)

SUGGESTED ACTION:

Authorize City Manager to execute contract for the period of October 1, 2003 through September 30, 2004, in an amount not to exceed \$585,000 to promote and market the downtown Long Beach commercial area.

ACTION: As recommended. (Baker/Colonna) (7/0 Unanimous)
(Absent: Kell,Lerch)

Speaker: Thomas Murphy

32. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2003 July/August Budget Performance Report. (Doc. 74)

SUGGESTED ACTION:

Refer report to the Budget Oversight Committee.

ACTION: As recommended. (Baker/Colonna) (7/0 Unanimous)
(Absent: Kell,Lerch)

33. DEPARTMENT: POLICE

SUBJECT: Application of American Customs Brokers Corporation, dba American Customs Brokers Corporation, for a premise-to-premise transfer of a customs broker alcoholic beverage control license at 235 East Broadway, Suite 506. (District 2) (Doc. 75)

SUGGESTED ACTION:

Receive and file application with conditions; or

Request City Clerk to transmit conditions to State of California Department of Alcoholic Beverage Control as requested by Councilmember.

ACTION: Received and filed with existing conditions. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Kell,Lerch)

34. DEPARTMENT: POLICE

SUBJECT: Application of Long Beach Steakhouse L-Pship, dba Outback Steakhouse, for a person-to-person and premise-to-premise transfer of an on-sale general for bonafide eating place license at 20 West Shoreline Drive. (District 2) (Docs. 76-77)

SUGGESTED ACTION:

Receive and file application; or

Request City Clerk to file protest with State Department of Alcoholic Beverage Control; or

Request City Clerk to transmit conditions to State of California Department of Alcoholic Beverage Control as requested by Councilmember.

ACTION: Requested City Clerk to transmit conditions to State of California Department of Alcoholic Beverage Control as requested by Councilmember. (Baker/Lowenthal) (8/0 Unanimous) (Absent: Lerch)

35. DEPARTMENT: PUBLIC WORKS

SUBJECT: Plans and Specifications No. R-6607 and award Construction Contract to Griffith Company and Construction Management Services Contract to DMJM Aviation, Inc., for improvements to Runway 12-30, connecting taxiways and runways, signage and lighting improvements, and associated airfield improvements. (District 5) (Doc. 78-79)

SUGGESTED ACTION:

Adopt plans and specifications.

Authorize City Manager to execute a contract and all necessary documents related to the contract, to Griffith Company in an estimated amount of \$25,510,997.

Authorize City Manager execute a contract to DMJM Aviation, Inc., for a two-year term and a total contract amount not to exceed \$3,000,000.

Increase appropriations in the Airport Enterprise Fund (EF 320) and the Department of Public Works (PW) by \$8,959,441.

ACTION: As recommended. (Baker/Colonna) (6/2 Unanimous) (Noes: Uranga,Webb)
(Absent: Lerch)

Speaker: Larry Mebest

36. DEPARTMENT: PUBLIC WORKS

SUBJECT: First Amendment to Agreement No. 27923 with the City of Signal Hill regarding the design and construction of improvements to Spring Street between Long Beach Boulevard and Atlantic Avenue. (Districts 6,7) (Doc. 80)

SUGGESTED ACTION:

Increase appropriations in Capital Improvement Program No. PW5200 in the Capital Projects Fund (CP) in the Department of Public Works (PW) by \$750,000.

Authorize City Manager to execute amendment increasing the City's obligation for design, construction, construction management and anticipated contingencies occurring within the City's limits to an amount not to exceed \$3,500,000.

ACTION: As recommended. (Baker/Colonna) (8/0 Unanimous) (Absent: Lerch)

RESOLUTIONS:

37. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program. (Citywide) (Doc. 81)

SUGGESTED ACTION:

Adopt resolution authorizing the submission of an application for \$1,000,000 and authorize the City Manager to execute all necessary documents upon funding approval.

ACTION: Adopted Resolution No. C-28263 as amended. (Baker/Lowenthal)
(8/0 Unanimous) (Absent: Lerch)

Speaker: Lewis Lester

38. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution finding that the use of taxes allocated to the West Beach Redevelopment Project on behalf of the Downtown Redevelopment Project for the purpose of increasing, improving and preserving the community's supply of low-and moderate-income housing will be of benefit to the West Beach Redevelopment Project. (District 2) (Doc. 82)

SUGGESTED ACTION:

Adopt resolution finding the payment of additional housing set-aside by the West Beach Project Area is of benefit to the Project Area.

ACTION: Adopted Resolution No. C-28264. (Colonna/Baker)
(8/0 Unanimous) (Absent: Lerch)

Speaker: Thomas Murphy
Gary Shelton

39. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Resolution providing for the issuance of 2003-04 Tax and Revenue Anticipation Notes of the City of Long Beach, California. (Citywide) (Doc. 83)

SUGGESTED ACTION:

Adopt resolution providing for the competitive sale of FY 04 Tax and Revenue Anticipation Notes.

Authorize City Manager to execute certificates, documents and agreements in accordance with the resolution.

ACTION: Adopted Resolution No. C-28265. (Colonna/Carroll)
(8/0 Unanimous) (Absent: Lerch)
Speaker: Thomas Murphy

40. DEPARTMENT: LAW

SUBJECT: Resolution in support of a statewide ballot initiative to require voter approval before State government may take local funds. (Doc. 84)

SUGGESTED ACTION:

Adopt resolution.

ACTION: Adopted Resolution No. C-28266. (Baker/Colonna)
(7/0 Unanimous) (Absent: Webb, Lerch)

41. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution authorizing the City Manager to file a loan application for funds in the amount of \$643,000 from the California Department of Boating and Waterways for the installation of a Boat Mooring Program. (District 3) (Doc. 85)

SUGGESTED ACTION:

Adopt resolution to install moorings near Belmont Veterans Memorial Pier and Island White.

If the loan is approved, authorize City Manager to enter into an agreement with State of California, Department of Boating and Waterways, to accept the funds, and to execute, implement, award, and administer the loan agreement, including the execution of any documents necessary for the implementation and administration of the project.

ACTION: Adopted Resolution No. C-28267. (Colonna/Baker)
(8/0 Unanimous) (Absent: Lerch)

42. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution requesting a grant in the amount of \$50,000 from the California Department of Boating and Waterways for the development of a boat pumpout/dump station facility at Parker's Lighthouse public dock, "A" dock and south shore launch ramp. (Districts 2,3) (Doc. 86)

SUGGESTED ACTION:

Adopt resolution authorizing City Manager to apply for grant funds from the State of California, Department of Boating and Waterways, to reimburse the City for costs to install, maintain and repair vessel pumpout facilities throughout the marinas and waterways.

ACTION: Adopted Resolution No. C-28268. (Colonna/Lowenthal)
(8/0 Unanimous) (Absent: Lerch)

43. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution requesting a grant in the amount of \$270,000 from the California Department of Boating and Waterways for the development of a boat pumpout/dump station facility at the Harbormaster's dock in Alamitos Bay. (Districts 2,3) (Doc. 86)

SUGGESTED ACTION:

Adopt resolution.

ACTION: Adopted Resolution No. C-28269. (Colonna/Lowenthal)
(8/0 Unanimous) (Absent: Lerch)

44. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Resolution requesting a grant in the amount of \$20,000 from the California Department of Boating and Waterways for the reimbursement of maintenance repair at various boat pumpout/dump stations in the City of Long Beach. (Districts 2,3) (Doc. 86)

SUGGESTED ACTION:

Adopt resolution.

ACTION: Adopted Resolution No. C-28270. (Baker/Colonna)
(8/0 Unanimous) (Absent: Lerch)

45. DEPARTMENT: POLICE AND HARBOR

SUBJECT: Resolution authorizing acceptance of grant award from the State of California Office of Emergency Services Office of Homeland Security. (Citywide) (Doc. 87)

SUGGESTED ACTION:

Adopt resolution authorizing City Manager to execute documents necessary to accept and expend all Office of Emergency Services Office of Homeland Security grant funds.

Increase appropriations in the General Fund (GP) and in the Police Department (PD) by \$150,776.

ACTION: As recommended and **Adopted Resolution No. C-28271.** (Lowenthal/Baker) (7/0 Unanimous) (Absent: Carroll, Lerch)

46. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution adopting the City of Long Beach Traffic Mitigation Program Eleventh Annual Report; amending the Traffic Mitigation Program to add recommended changes to the City's Transportation Improvement Plan and making findings relative thereto in accordance with Long Beach Municipal Code Sections 18.17.170, 18.19.180 and Government Code Sections 66001 and 66006. (Citywide) (Doc. 88)

SUGGESTED ACTION:

Adopt resolution approving Traffic Mitigation Program Eleventh Annual Report (Fiscal Year 2001-2002) and making findings relative thereto.

ACTION: Adopted Resolution No. C-28272. (Colonna/Baker) (7/0 Unanimous) (Absent: Carroll, Lerch)

47. DEPARTMENT: PUBLIC WORKS

SUBJECT: Resolution of intention to vacate portions of Home Street and alleys south of Fifty-First Street and west of Long Beach Boulevard. (District 8) (Doc. 89)

SUGGESTED ACTION:

Accept dedications for widening of Long Beach Boulevard and a new alley right-of-way connecting Home Street and Fifty-First Street.

Adopt resolution.

Set date of hearing for Tuesday, October 14, 2003, at 5:00 P.M.

Authorize City Manager to execute a quitclaim of utility easement subsequent to the satisfactory relocation of public utilities.

ACTION: As recommended and **Adopted Resolution No. C-28273.** (Webb/Lowenthal) (7/0 Unanimous) (Absent: Carroll, Lerch)

ORDINANCES:

48. DEPARTMENT: PARKS, RECREATION AND MARINE

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 16.08.460 relating to fishing restrictions. (Districts 2,3) (Doc. 90)

SUGGESTED ACTION:

Declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

ACTION: As recommended. (Colonna/Baker) (7/0 Unanimous) (Absent: Carroll,Lerch)

49. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Ordinance approving Resolution No. WD-1184, a resolution of the Board of Water Commissioners of said City establishing the rates and charges fixed therein to be charged for water and sewer service.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7874. (Colonna/Baker) (7/0 Unanimous)
(Absent: Carroll,Lerch)

50. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Ordinance amending the Long Beach Municipal Code by adding Chapter 3.91 relating to a surcharge on building, zoning, environmental, electrical, mechanical, and plumbing plan check and permit fees to fund the continued amendment and maintenance of the General Plan of the City of Long Beach.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7875. (Lowenthal/Baker) (7/0 Unanimous)
(Absent: Carroll,Lerch)

51. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Ordinance amending the Long Beach Municipal Code by amending Section 5.40.020 relating to garage sale permit fees.

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7876. (Lowenthal/Baker) (8/0 Unanimous)
(Absent: Lerch)

52. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Ordinance approving and adopting the official budget of the City of Long Beach for the Fiscal Year 2003-04, creating and establishing the funds of the Municipal Government of the City of Long Beach and appropriating money to and authorizing expenditures from said funds for said fiscal year; declaring the urgency thereof, and providing that this ordinance shall take effect at 12:01 A.M. on October 1, 2003. (Ordinance No. C-7873)

SUGGESTED ACTION:

Declare ordinance read and adopted as read.

ACTION: Adopted Ordinance No. C-7873. (Lowenthal/Baker) (8/0 Unanimous)
(Absent: Lerch)

NEW BUSINESS:

53. Affidavit of Service for special meetings held September 23, 2003. (Docs. 1-2)

ACTION: Received and made a part of the permanent record.

54.

55.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

Councilmembers announced various citywide events.

Lewis Lester, spoke regarding the Redevelopment Agency merger.

Adjournment: 10:03 P.M.

REMINDERS:

September 23, 2003, Budget Oversight Committee at 3:00 P.M.

September 30, 2003, I-710 Oversight Committee at 6:00 P.M.

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at www.longbeach.gov. E-Mail correspondence can be directed to cityclerk@longbeach.gov. Agenda items may be reviewed in the City Clerk Department or the Government Publications Section of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone Jonda Matrone at (562) 570-6765 in the City Clerk Department. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.